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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,310	10/06/2004	Ralph Hubert Peters	NL 020329	7470
24737	7590	01/15/2009		
PHILIPS INTELLECTUAL PROPERTY & STANDARDS				
P.O. BOX 3001				
BRIARCLIFF MANOR, NY 10510				
EXAMINER				
CARTER, WILLIAM JOSEPH				
ART UNIT		PAPER NUMBER		
2875				
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01/15/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10510310	10/6/2004	PETERS, RALPH HUBERT	NL 020329

EXAMINER

WILLIAM J. CARTER

ART UNIT	PAPER
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2875

20090106

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Commissioner for Patents

The previous Office Action dated 25 January 2008 is Vacated.

The reply brief filed 14 November 2007 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

The Applicant has charged the examiner with making a "rather amazing statement," because the examiner has "defined" the items in the reference that represent the sleeve and cap. The Applicant further attacked the examiner's statements saying that "it is not the Examiner's prerogative to define terminology any way he sees fit." Claim interpretation is a key feature of examining a patent. In order to "interpret" one must "assign meaning to" (wordnet.princeton.edu/perl/webwn). "Interpret" has a very similar definition to "define: give a definition for the meaning of a word" (wordnet.princeton.edu/perl/webwn). So if the Applicant feels that the examiner is not entitled to interpret a reference as it reads on claim language, then the Applicant is mistaken. There is not a word-bank that every application draws identical language from, so the language is not consistent in every patent. So the examiner is required to interpret if an item from a reference with a given name, can be interpreted (or defined) as the item in a claim given another name. In this case the examiner decided that a connected "envelope" and "cap" that form a sleeve around a light source, can be interpreted/defined as a sleeve. As for the remaining arguments, the Applicant doesn't bring up any new issues that have not been previously discussed.

/Sandra L. O'Shea/
Supervisory Patent Examiner, Art Unit 2875